

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEBRASKA

IN RE JOSEPH ALLEN HARTLEY and )  
RACHEL KAY HARTLEY, )  
Debtors and Debtors in Possession )

Case No. BK15-81898  
Chapter 7

\*\*\*\*\*

**SECOND INTERIM APPLICATION BY ATTORNEYS FOR ALLOWANCE OF  
COMPENSATION AND REIMBURSEMENT FOR PRIOR CHAPTER FEES AND  
EXPENSES**

For its Application by Attorneys for Allowance of Compensation and Reimbursement ("Application"), the law firm of Fraser Stryker PC LLO (the "Applicant") respectfully represents the following to the Court:

1. The Debtors in Possession filed their Voluntary Petition for Relief under Title 13, United States Code, on November 18, 2015 ("Petition Date").
2. On December 21, 2015, this Court granted the application for employment for Michael Coyle, Robert Futhey, and David Kennison of the Fraser Stryker law firm.
3. These attorneys and the Fraser Stryker law firm have provided legal services for the Debtors in Possession in a lawsuit captioned as *Becker et al. v. Independence Bank*, 1:14-CV-00534, currently pending in the United States District Court for the District of Rhode Island.
4. On December 12, 2016, this Court converted the Chapter 11 proceedings to a Chapter 7 action.
5. The Applicant has performed certain professional services for the Debtors in Possession from December 13, 2016 through November 30, 2017. A detailed statement of the services rendered and hours spent during those inclusive dates is marked Exhibit "A" and made a part hereof by this reference.
6. Exhibit "A" was prepared from the Applicant's original daily work records, reflecting the date each item of service was rendered, the initials of the attorney or others

rendering the service, the type of services rendered, and the amount of time devoted on each of those dates.

7. The statement of fees incurred, as well as costs advanced, for and on behalf of the Applicant is in the total amount of \$102,862.18, as itemized on Exhibit "A."

8. The detailed statements of services rendered reflects a total of 358 hours were devoted by the Applicant in the performance of services for and on behalf of the Debtors in Possession.

9. The Applicant has not entered into any agreement, express or implied, with another person-in-interest, including the Debtors in Possession, any creditor, the Trustee, or any representative of them, or with any attorney for any such party-in-interest, in the proceeding, for the purpose of fixing the fees or other compensation to be paid such party in interest in the proceeding for services rendered to expenses incurred in connection therewith from the assets of the estate in excess of the compensation allowed by law.

WHEREFORE, the undersigned Applicants hereby apply to this Court for an order approving the sum of \$102,862.18 as an administrative priority expense claim, which includes the sum of \$89,528.50 in fees and \$13,333.68 in costs.

DATED this 9<sup>th</sup> day of March, 2018.

FRASER STRYKER PC LLO, Applicant

BY: /s/Michael F. Coyle  
Michael F. Coyle, #18299  
Robert W. Futhey, #24620  
FRASER STRYKER PC LLO  
500 Energy Plaza  
409 South 17th Street  
Omaha, Nebraska 68102-2663  
(402) 341-6000  
ATTORNEYS FOR DEBTORS

**NOTICE OF OBJECTION DEADLINE**

PURSUANT TO [NEB. R. BANKR. P. 9013-1](#), ANY OBJECTION TO THE MOTION TO MODIFY MUST BE FILED WITH THE BANKRUPTCY COURT AND SERVED ON THE ABOVE ATTORNEY FOR THE DEBTOR(S) OR THE DEBTOR(S), IF NOT REPRESENTED BY AN ATTORNEY, ON OR BEFORE:

March 30, 2018.

IF NO OBJECTION IS FILED, THEN THE MOTION SHALL BE APPROVED. IF AN OBJECTION IS FILED, THE DEBTOR(S) MUST FILE A RESPONSE WITHIN 14 DAYS AFTER THE ABOVE OBJECTION DATE. IF NO RESPONSE IS FILED, THE MOTION WILL BE DENIED. AFTER FILING OF A RESPONSE BY THE DEBTOR(S), THE OBJECTION SHALL PROCEED IN THE MANNER SET FORTH IN [NEB R. BANKR. P.3015-2\(E\)](#).

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing was served upon parties in interest by filing electronically with the Clerk of the U.S. Bankruptcy Court for the District of Nebraska utilizing its CM/ECF system on the 9th day of March, 2018.

/s/ Michael F. Coyle

**FRASER STRYKER PC LLO**  
500 ENERGY PLAZA 409 SOUTH 17th STREET  
OMAHA, NEBRASKA 68102-2663  
PHONE (402) 341-6000



**Return this Page with your Payment**

Date: 01/31/18  
Invoice: 170550

Richard D Meyers, Trustee  
McGill, Gotsdiner, Workman & Leep PC LLO  
11404 West Dodge Road  
Suite 500  
Omaha, NE 68154-2584

**Check Remit To:**  
Fraser Stryker PC LLO  
500 Energy Plaza  
409 S 17th Street  
Omaha, NE 68102

Our Federal Identification No. 47-0545789

USA Island Seafood, Inc.  
Re: Independence Bank

**Wire Transfer Remit To:**  
ABA # 104000029  
A/C # 1487-1467-1184  
Fraser Stryker PC LLO

**Reference:** 19893\*54049\*170550\*MFC  
US Bank  
1700 Farnam Street  
Omaha, NE 68102

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For Professional Services Rendered through 12/31/17	\$89,528.50
Expenses incurred through 12/31/17	<u>\$13,333.68</u>
<b>TOTAL</b>	<b><u><u>\$102,862.18</u></u></b>

**FRASER STRYKER PC LLO**  
500 ENERGY PLAZA 409 SOUTH 17th STREET  
OMAHA, NEBRASKA 68102-2663  
PHONE (402) 341-6000

McGill, Gotsdiner, Workman & Leep PC LLO  
11404 West Dodge Road  
Suite 500  
Omaha, NE 68154-2584  
Attn: Richard D Meyers, Trustee

USA Island Seafood, Inc.  
Re: Independence Bank

Date: 01/31/18  
Invoice: 170550 - MFC

For Professional Services Rendered and Costs Advanced through 12/31/17

Date	Atty	Professional Services	Hours	Amount
12/15/16	DPK	Draft and review correspondence from Allen Hartley and opposing counsel regarding Defendant's Second Requests for Production of Documents and Plaintiff's Objections.	1.20	282.00
12/19/16	DPK	Continue reviewing documents provided by Cheri Becker and Mark Scoggins to identify documents responsive to Independence Bank's 2nd Set of Requests for Production; draft responses to same.	4.80	1,128.00
12/21/16	DPK	Telephone conference with Allen Hartley regarding Independence Bank's discovery requests.	0.40	94.00
12/21/16	RMR	Conduct research regarding potential evidence issue that may be raised by the introduction of a investigative report.	3.90	877.50
12/27/16	DPK	Telephone conference with Allen Hartley regarding additional e-mails to be produced in discovery.	0.20	47.00
01/03/17	DPK	Exchange correspondence with opposing counsel and Allen Hartley regarding Defendant's Requests for Production; telephone call with Cheri Becker regarding same.	0.50	117.50
01/17/17	DPK	Continue drafting objections to Defendant's discovery responses; organize and prepare documents for production.	1.50	352.50
01/17/17	PLIT	Load and process RFP documents into e-discovery application for bates numbering and production.	2.50	337.50
01/18/17	DPK	Review and analyze documents provided by Hartley and Becker and match documents to Requests for	6.20	1,457.00

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Date	Atty	Professional Services	Hours	Amount
		Production from Independence Bank; continue drafting and revising Responses to same.		
01/23/17	DPK	Finalize Responses to Requests for Production and revise privilege log.	1.10	258.50
01/24/17	DPK	Finalize and send out Plaintiff's Objections and Responses to Defendant's 2nd Requests for Production of Documents.	0.50	117.50
01/25/17	DPK	Draft Motion to Withdraw Application for Fees.	0.40	94.00
01/30/17	DPK	Telephone conferences with David Hicks / Allen Hartley regarding strategy forward in light of bankruptcy conversion.	0.60	141.00
01/31/17	DPK	Telephone conference with Ch. 7 trustee Rick Myers.	0.20	47.00
02/08/17	DPK	Meeting with Luke Northwall regarding expert report; review and analyze documents to be used in support of Mr. Northwall's opinions; draft Plaintiffs' Expert Disclosures.	6.80	1,598.00
02/08/17	CS	Voluminous Electronic Documentation Downloaded to CD.	0.60	81.00
02/09/17	MFC	Analyze strategy with Dewey Kennison; telephone conference with Rick Meyer.	1.80	684.00
02/09/17	DPK	Travel to and attend meeting with Ch. 7 trustee Rick Meyers regarding strategy forward in Rhode Island litigation.	1.50	352.50
02/09/17	DPK	Evaluate and assess whether to proceed with Rhode Island litigation on behalf of Ch. 7 trustee Meyers.	0.80	188.00
02/13/17	DPK	Draft Fee Application for professional services rendered.	1.00	235.00
02/14/17	DPK	Continue preparing fee application documents and review time entries for assignment of billing codes.	1.50	352.50
02/20/17	RMR	Analyze and discuss the necessity for proof of claim with regards to filing for attorney's fees; prepare same.	0.50	112.50
02/27/17	DPK	Draft Affidavit in Support of Motion for Application as Special Counsel to Ch. 7 Trustee	0.80	188.00
02/27/17	DPK	Initial review and analysis of Luke Northwall's expert report.	0.50	117.50
02/28/17	DPK	Review universe of documents for 2007 and 2008 corporate tax returns to support argument regarding	2.90	681.50

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Date	Atty	Professional Services	Hours	Amount
		financial condition of companies; exchange correspondence with Luke Northwall regarding expert report; review and assess expert report.		
02/28/17	RMR	Analyze and assess file in order to prepare proof of claim; prepare proof of claim.	0.20	45.00
03/01/17	DPK	Telephone call with Luke Northwall regarding expert report; review and analyze revised report.	2.00	470.00
03/03/17	DPK	Conference with Luke Northwall regarding expert witness report.	0.40	94.00
03/03/17	DPK	Draft status report to Bankruptcy Court.	0.60	141.00
03/06/17	DPK	Revise and analyze Northwall expert report.	1.00	235.00
03/07/17	DPK	Telephone conference with Cheri Becker regarding Northwall expert report.	0.30	70.50
03/09/17	DPK	Revise Luke Northwall's expert witness report and communicate with Mr. Northwall regarding same; revise Expert Witness Disclosures; draft and revise Notice of Serving Disclosures.	1.30	305.50
03/09/17	DPK	Draft Plaintiffs' First Supplemental Response to Defendant's 2nd Requests for Production; compile documents responsive to same.	0.50	117.50
03/10/17	DPK	Finalize and serve expert witness disclosures; meeting with Luke Northwall regarding same.	0.60	141.00
03/13/17	DPK	Telephone conference with Mark Lapuza regarding status of bankruptcy proceeding and strategy forward.	0.50	117.50
03/14/17	DPK	Telephone conference with US Trustee Jerry Jensen regarding withdrawal of objection to Motion for Ch. 11 expenses and costs.	0.20	47.00
03/16/17	DPK	Telephone conference with Magistrate Judge regarding mediation and settlement strategy forward; assess and analyze issues related to same.	0.60	141.00
03/20/17	DPK	Telephone conference with Mark LaPuzza regarding application of employment to serve as special counsel.	0.30	70.50
03/23/17	RMR	Analyze and assess documents necessary in order to file a bankruptcy Proof of Claim.	0.70	157.50
03/24/17	RMR	E-mail correspondence regarding invoices in order to prepare bankruptcy Proof of Claim.	0.20	45.00
03/26/17	MFC	Telephone conference with Rick Meyer on strategy	1.50	570.00

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Date	Atty	Professional Services	Hours	Amount
		forward.		
03/27/17	DPK	Prepare for telephone conference with Ch. 7 trustee by reviewing and analyzing key portions of deposition testimony of Robert Catanzaro	1.40	329.00
03/27/17	RMR	Review and assess itemized invoice statement in order to prepare bankruptcy Proof of Claim.	0.20	45.00
03/29/17	DPK	Telephone conference with Ch. 7 trustee Rick Myers regarding strategy forward in Rhode Island litigation and bankruptcy related issues.	1.20	282.00
03/30/17	DPK	Review and analyze 400+ pages of deposition transcripts of Robert Catanzaro and Michael Sammartino for testimony to support position that Bank misrepresented or failed to disclose material facts; draft comprehensive settlement letter to Defendant based upon same.	5.10	1,198.50
03/30/17	RMR	Analyze and assess documents that will be used to support Proof of Claim filing.	0.20	45.00
03/30/17	RMR	Prepare proof of claim filing; review documentation supporting claim.	0.80	180.00
04/13/17	DPK	Telephone conference with Cheri Becker and Allen Hartley regarding settlement offer.	0.40	94.00
04/14/17	DPK	Finalize Settlement Offer to Defendant.	0.30	70.50
04/17/17	DPK	Telephone conference with Rhode Island court regarding potential mediation; telephone conference with opposing counsel regarding expert deposition and related issues.	1.10	258.50
04/17/17	RMR	Analyze and assess bankruptcy filing records in relation to claims presented.	1.00	225.00
04/18/17	DPK	Correspond with opposing counsel and Luke Northwall regarding expert discovery, deposition of Mr. Northwall, and related issues; draft extension of scheduling deadlines; telephone conference with Judge McConnell's Clerk regarding same.	1.50	352.50
04/19/17	RMR	Analyze and assess forms that were provided to the bankruptcy court regarding the proof of claim.	0.50	112.50
04/21/17	DPK	Draft Motion to Substitute Richard D. Myers as party plaintiff.	0.70	164.50
05/03/17	DPK	Telephone conference with Allen Hartley regarding court deadlines and strategy forward.	0.50	117.50



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Date	Atty	Professional Services	Hours	Amount
05/04/17	DPK	Review e-mail correspondence from Cheri Becker regarding questions related to case strategy; respond to correspondence via telephone and discuss case strategy forward with Ms. Becker and Allen Hartley.	1.60	376.00
05/05/17	DPK	Read and analyze Defendant's Brief in Support of Motion in Limine; begin assessing potential response to same.	2.10	493.50
05/08/17	DPK	Assess Independence Bank's Motion in Limine and begin drafting Opposition Brief in response to same.	3.90	916.50
05/08/17	SRH	Review federal rule 26(a)(2)(B) and Rhode Island and Federal case law regarding retained v. non-retained expert witnesses to assess whether our expert report can be used at trial in opposition to the Defendant's Motion in Limine.	1.60	360.00
05/09/17	DPK	Continue drafting Brief in Opposition to Defendant's Motion in Limine.	2.90	681.50
05/09/17	SRH	Review and research Federal Rule 26 disclosure requirements and case law to determine whether we properly notified the Defendant of our expert report in opposition to the Defendant Motion in Limine.	1.60	360.00
05/10/17	DPK	Draft Fact and Legal Argument Section in Brief in Opposition to Motion in Limine; review documents and deposition testimony for evidence to support arguments.	5.10	1,198.50
05/10/17	SRH	Research United States Court of Appeals for the First Circuit and district court case law for retained vs. non-retained expert cases to assess whether our expert can be deemed non-retained and thus not have to provide a full report of his findings; draft memorandum of findings.	4.50	1,012.50
05/11/17	DPK	Telephone conferences with Allen Hartley and Cheri Becker regarding response to Bank's Motion in Limine.	1.10	258.50
05/11/17	DPK	Continue reviewing First Circuit case law regarding a non-retained expert's opinion with respect to causation; continue drafting and revising Brief in Opposition to Bank's Motion in Limine; assess strategy forward.	5.10	1,198.50
05/11/17	SRH	Prepare for and have conference via telephone with our clients to discuss brief in opposition to Defendant's Motion in Limine.	0.90	202.50

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Date	Atty	Professional Services	Hours	Amount
05/12/17	DPK	Continue drafting and revising Brief in Opposition to Defendant's Motion in Limine.	3.90	916.50
05/15/17	DPK	Continue drafting and revising Brief in Opposition to Motion in Limine; compile and organize all supporting exhibits regarding same.	3.50	822.50
05/16/17	DPK	Finalize Brief in Opposition to Motion in Limine and organize supporting exhibits.	1.50	352.50
05/16/17	LCAH	Meet with Dewey Kennison regarding brief in response to defendant's motion in limine; read through motion and brief to proofread arguments and cites.	1.80	252.00
05/18/17	RWF	Consider strategy for upcoming discovery and motion practice issues.	0.40	110.00
05/30/17	RWF	Review motion in limine documents and court order denying Defendant's motion in limine.	0.40	110.00
05/31/17	RWF	Review information related to expert Scott Northwall's testimony in preparation for upcoming deposition.	0.40	110.00
05/31/17	SRH	Review case file documents to determine how the expert opinion was formed to prepare for expert deposition.	1.80	405.00
06/02/17	PLLP	Confer with Attorneys Coyle and Futhey regarding the upcoming deposition of Luke Northwall (.3); telephone conference to Luke Northwall; correspond via electronic mail with Attorneys Oliverio, Snow and Pelligrinio regarding the change in location of Mr. Northwall's deposition.	0.70	108.50
06/04/17	RWF	Review expert report of Luke Northwall in preparation for upcoming deposition.	0.30	82.50
06/05/17	PSC	Review and analyze expert disclosures and prepare for meeting with expert witness Luke Northwall in preparation for his deposition; attend meeting with Mr. Northwall in preparation for upcoming expert deposition; review key documents to be used at deposition.	2.70	769.50
06/05/17	PLLP	Correspond via electronic mail with Attorney Pelligrino, confer with Attorney Coyle and Cooper regarding the upcoming deposition of Luke Northwall, and assemble and organize materials needed for the upcoming deposition of Luke	2.80	434.00

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Date	Atty	Professional Services	Hours	Amount
		Northwall.		
06/06/17	MFC	Prepare for and attend deposition of expert Luke Northwall.	4.70	1,786.00
06/07/17	SRH	Review Dispositive motion deadline; review Northwall expert disclosures and report to prepare for depositions.	3.10	697.50
06/08/17	SRH	Review Mr. Northwall's deposition notes and case files; discuss with Mr. Futhey and Mr. Coyle.	3.00	675.00
06/19/17	PLLP	Correspond via electronic mail with Caroline Miller of Thibault Suhr & Thibault; update electronic document repository.	0.40	62.00
06/20/17	SRH	Review files to prepare dispositive notions and meeting with trustee	3.60	810.00
06/21/17	MFC	Meeting with Bankruptcy Trustee Rick Myers.	1.50	570.00
06/21/17	SRH	Review files; meet with trustee rich myers; travel to and from	3.30	742.50
07/07/17	SRH	Review case documents to prepare for any possible motions before the July 14, 2017 dispositive motion deadline.	2.80	630.00
07/18/17	SRH	Review Independence Bank's Motion for Summary Judgment and Undisputed Facts; review Rhode Island rules and procedures for responding to Summary Judgment motions.	6.80	1,530.00
07/19/17	SRH	Communicate with opposing counsel to discuss extending deadline for responding to Summary Judgment motion; continue review summary judgment and undisputed facts from opposing party to strategize a response.	2.00	450.00
07/20/17	RWF	Consider strategy related to responding to motion for summary judgment.	0.40	110.00
07/20/17	SRH	Review Rhode Island rules and procedures for pleadings; revise, and finalize affidavit; draft and file Motion to Continue in order to extend the deadline for our response to Summary Judgment.	4.50	1,012.50
07/21/17	RWF	Review and revise motion to extend summary judgment deadlines.	0.20	55.00
07/21/17	SRH	Revise affidavit and Motion to Continue; communicate with local counsel regarding filing; begin review of case documents to prepare response	4.80	1,080.00

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Date	Atty	Professional Services	Hours	Amount
		to Summary Judgment.		
07/25/17	SRH	Communicate with Alan Hartley about case developments; begin review of deposition transcripts in order to respond to Summary Judgment motion.	4.40	990.00
07/26/17	SRH	Review Rhode Island case law regarding fraudulent inducement to assess whether prior knowledge of condition is detrimental to our case for the Summary Judgment response.	3.40	765.00
07/30/17	SRH	Review pleadings, deposition transcripts, and Summary Judgment motion to begin drafting response brief.	4.10	922.50
08/02/17	RWF	Consider arguments to make in response to motion for summary judgment filed by Independence Bank.	0.30	82.50
08/03/17	RWF	Respond to e-mail from client regarding status of the case.	0.30	82.50
08/04/17	SRH	Review pleadings from Independence Bank and USA Island.	1.60	360.00
08/05/17	SRH	Review Motions in Limine filings by Independence Bank and USA Island.	0.90	202.50
08/08/17	SRH	Review deposition exhibits; independence bank exhibits; begin draft of statement of disputed facts.	5.10	1,147.50
08/09/17	SRH	Review Summary Judgment Motion by Independence Bank; continue work on Brief of Disputed Facts.	4.40	990.00
08/10/17	SRH	Review depositions of Robert Catanzaro and Mike Sammartino; summarize depositions.	6.10	1,372.50
08/11/17	SRH	Continue review and deposition summary of Robert Catanzaro and Mike Sammartino; begin review of deposition of Cheri Becker and Allen Hartley.	8.10	1,822.50
08/12/17	SRH	Continue deposition review and summaries of Cheri Becker and Allen Hartley.	5.10	1,147.50
08/12/17	SRH	Review deposition of Luke Northwall; summarize deposition.	2.20	495.00
08/13/17	SRH	Draft Statement of Disputed Facts; draft Additional Facts pleading.	7.70	1,732.50
08/14/17	SRH	Continue draft of Additional Facts; research case law regarding fraudulent inducement, lender liability, and conversion in Rhode Island; continue review of Exhibits and depositions.	12.30	2,767.50

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Date	Atty	Professional Services	Hours	Amount
08/15/17	RWF	Review and revise brief in opposition to motion for summary judgment; research legal authorities related to arguments made in brief opposing summary judgment motion.	6.10	1,677.50
08/15/17	SRH	Draft brief introduction, standard of review, and fraudulent inducement sections.	11.10	2,497.50
08/16/17	SRH	Revise Disputed Statement of Facts and Additional Facts; draft negligent misrepresentation section.	4.40	990.00
08/17/17	RWF	Review and revise statement of facts in connection with motion for summary judgment.	6.50	1,787.50
08/17/17	SRH	Draft and revise breach of fiduciary duty, conversion, and Independence Bank claims sections; conference call with clients and trustee.	8.70	1,957.50
08/18/17	RWF	Consider additional revisions and arguments to make in brief; revise motion for summary judgment brief; review deposition exhibits for additional matters to include in summary judgment brief; correspondences with Cheri Becker regarding motion for summary judgment evidence.	5.50	1,512.50
08/18/17	SRH	Review and revise Brief in Opposition to Summary Judgment and Statement of Disputed Facts and Additional Facts.	4.20	945.00
08/19/17	SRH	Revisions to negligent misrepresentation and breach of implied duties of good faith and fair dealings sections of Brief in Opposition to Summary Judgment.	3.70	832.50
08/21/17	SRH	Revise Brief in Opposition to Summary Judgment, including introduction and fraudulent inducement sections.	5.10	1,147.50
08/22/17	MFC	Begin review of draft Brief in Opposition to Motion for Summary Judgment.	4.50	1,710.00
08/22/17	RWF	Continue revising brief opposing motion for summary judgment.	3.00	825.00
08/22/17	SRH	Revise final draft of Brief, Statement of Disputed Facts, and Statement of Additional Facts.	5.20	1,170.00
08/23/17	MFC	Continued review and revision of draft Brief in Opposition to Motion for Summary Judgment.	4.70	1,786.00
08/23/17	SRH	Revise Brief; prepare Exhibits; communicate with Local Counsel; file Brief, Statement of Disputed	5.60	1,260.00

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Date	Atty	Professional Services	Hours	Amount
		Facts, Statement of Additional Facts.		
08/24/17	MFC	Revise Brief in Opposition to Motion for Summary Judgment.	3.00	1,140.00
09/14/17	SRH	Review bankruptcy documents to prepare for hearing; communicate with Rich Meyers regarding proceeding.	3.20	720.00
09/18/17	SRH	Prepare for hearing on status of adversary proceeding; communicate via telephone with Rich Meyers; attend hearing.	3.70	832.50
09/30/17	RWF	Briefly review summary judgment documents submitted by Independence Bank.	0.30	82.50
10/02/17	SRH	Review Defendant Independence Bank's Reply brief and supporting documents, including exhibits, disputed facts and undisputed facts.	1.90	427.50
10/11/17	SRH	Review bankruptcy documents and Independence Bank filings; conference call with Bank and bankruptcy trustee to discuss global settlement and Chapter 7 settlement agreement.	3.10	697.50
10/16/17	SRH	Review bankruptcy filings; appear in bankruptcy court for hearing on settlement	2.20	495.00
10/31/17	SRH	Communicate with opposing counsel to determine if hearing for summary judgment can be moved back to later in November.	0.50	112.50
11/01/17	SRH	Communicate with opposing counsel to negotiate continuance date for hearing on Summary Judgment Motion; communicate with the US District Court to continue Summary Judgment hearing date to November 21, 2017.	0.70	157.50
11/14/17	MFC	Conference call with Independence Bank's local counsel, Mike Lapuzza regarding possible settlement of case; telephone conference with Richard Myers.	1.30	494.00
11/14/17	SRH	Conference call with Trustee Rick Myers to discuss potential settlement of litigation claims in Rhode Island; review of all pleadings, specifically, both parties Summary Judgment briefs; conference call between Fraser Stryker, Rick Myers, and local counsel Ben Pick of Pansing Hogan to discuss the potential of settlement of litigation claims.	3.50	787.50
11/16/17	SRH	Review elements of our claims against Independence Bank and Rhode Island statutory law to prepare for	1.40	315.00

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Date	Atty	Professional Services	Hours	Amount
		the Summary Judgment hearing		
11/17/17	SRH	Review, revise, and finalize outline for Summary Judgment oral arguments, including all elements for our claims, facts of the case, and arguments.	2.10	472.50
11/20/17	MFC	Review of file materials in preparation for hearing on Motion for Summary Judgment; travel to Providence, RI.	9.10	3,458.00
11/20/17	RWF	Consider and develop arguments to make at summary judgment hearing.	0.80	220.00
11/20/17	PLLP	Assemble materials needed for hearing on Motion for Summary Judgment.	0.20	31.00
11/21/17	MFC	Attend hearing on Independence Bank's Motion for Summary Judgment; return travel to Omaha, NE.	14.20	5,396.00
11/21/17	RWF	Review docket entry and information related to motion for summary judgment hearing.	0.20	55.00
11/22/17	MFC	Prepare e-mail correspondence to Allen Hartley, Cheri Becker and Bankruptcy Trustee, Rick Myers, reporting on hearing on summary judgment and attaching briefs submitted with regard to same; telephone conference with Richard Myers, Trustee of Bankruptcy.	1.80	684.00
11/22/17	PLLP	Confer with Attorney Coyle regarding hearing on Motion for Summary Judgment and next steps.	0.30	46.50
TOTAL Hours and Fees			358.00	89,528.50

Name	Hours	Rate	Amount
Michael F. Coyle	48.10	380.00	18,278.00
Patrick S. Cooper	2.70	285.00	769.50
Robert W. Futhey	25.10	275.00	6,902.50
David P. Kennison	84.60	235.00	19,881.00
Steven R. Hogan	180.00	225.00	40,500.00
Ryan M. Ricke	8.20	225.00	1,845.00
Paralegal/L. Peterson	4.40	155.00	682.00
Law Clerk/Alexandra Hubb	1.80	140.00	252.00
Computer Consultant	0.60	135.00	81.00

USA Island Seafood, Inc.  
01/31/18  
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Client: 19893  
Matter: 54049  
Invoice: 170550 - MFC

Name	Hours	Rate	Amount
Paralegal - IT Aley	2.50	135.00	337.50
TOTAL	Current Fees		\$89,528.50

Date	Costs Advanced	Amount
09/24/15	Westlaw Search for period	375.00
02/16/17	Expert witness fee - Luke Northwall	1,925.00
02/28/17	Professional Services - Luke Northwall	3,725.00
04/10/17	Professional Services - Luke Nortwall	1,600.00
06/05/17	Mileage	13.91
06/06/17	Deposition copy - Luke T. Northwall	159.65
06/06/17	Professional Services - Luke Nortwall	1,225.00
07/06/17	Professional Services - Luke Nortwall	200.00
08/17/17	Conference Call - Soundpath	39.78
08/30/17	Professional Services - Oliverio & Marcaccio LLP	266.06
10/31/17	Professional Services - Oliverio & Marcaccio LLP	514.30
11/08/17	Travel Expense - Airfare	1,155.60
11/10/17	Travel Expense - Uber	51.72
11/11/17	Travel Expense - Uber	41.73
11/21/17	Professional Services - Oliverio & Marcaccio LLP	857.50
11/21/17	Travel Expense - Meal	3.63
11/22/17	Travel Expense - Hotel	233.74
12/31/17	PACER - Computer Search Charges for the Period	82.70
12/31/17	Computer Search Charges for the Period	532.68
	Courier	21.00
	Long Distance Telephone Charges for Period	300.20
	Photocopy Charges for Period	6.60
	Postage Charges for Period	2.88
	TOTAL Current Costs	\$13,333.68

Current Invoice Due \$102,862.18

Trust Balance: \$25,000.00